REMARKS/ARGUMENTS

Upon entry of the above amendment, claims 15-21 (unamended) will have been resubmitted for reconsideration by the Examiner. Thus, claims 15-21 remain pending. In view of the above, Applicant respectfully requests reconsideration of the outstanding rejection of all the claims pending in the present application. Such action is respectfully requested and is now believed to be appropriate and proper.

Initially, Applicant would like to express his appreciation to the Examiner for the detailed Official Action provided.

Turning to the merits of the action, the Examiner has rejected claims 15-21 under 35 U.S.C. § 103(a) as being unpatentable over SHIMA (U.S. Patent Publication No. 2002/0004802) in view of TOMAT (U.S. Patent No. 6,459,499).

As noted above, Applicant has resubmitted claims 15-21. Applicant respectfully traverses the above rejection based on the pending claims 15-21 and will discuss the outstanding rejection with respect to these claims in the present application as will be set forth hereinbelow.

Applicant's claims 15-19 generally relate to a terminal apparatus which comprises an interface configured to be connected to a scanner apparatus via a network. The terminal apparatus comprises a memory which stores a plurality of information indicating a plurality of file types and a plurality of application programs associated with the plurality of the file types. Each of the plurality of application programs is utilized for opening a document file associated with each of the plurality of file types. The terminal apparatus comprises a controller which receives, from the scanner apparatus, a control file including a file name, and receives, from the scanner

2

apparatus, a document file, the document file including image data scanned by the scanner apparatus. The controller also analyzes the file name included in the received control file to obtain the file type of the received document file, and starts the application program associated with the obtained file type to open the received document file. Claim 20 recites a related system, and claim 21 recites a related method.

In direct contrast, as the Examiner admitted in the outstanding Official Action mailed on August 22, 2005, SHIMA (the primary reference relied upon) does not disclose a memory which a stores a plurality of information indicating a plurality of file types and a plurality of application programs associated with the plurality of file types, each of the plurality of application programs being utilized for opening a document file associated with each of the plurality of file types; and a controller which is configured to: receive, from the scanner apparatus, a control file including a file name; receive, from the scanner apparatus, a document file, the document file including image data scanned by the scanner apparatus; analyze the file name included in the received control file to obtain the file type of the received document file; and start the application program associated with the obtained file type to open the received document file.

Thus, the pending claims, at least for the reasons explicitly admitted by the Examiner, are clearly distinguished over SHIMA.

Therefore, it is respectfully submitted that since the features recited in Applicant's claims 15-21 are not disclosed in SHIMA, cited by the Examiner, the Examiner relies upon TOMAT to supply the shortcomings of SHIMA.

TOMAT relates to a system for scanning a document and sending a corresponding image file to a remote recipient. In TOMAT, computer system 2 sends image files to other computer systems that are physically remote from computer system 2 (col. 4, lines 40-46). Computer system 2 includes scanner 1, display 10, and fixed disk 15 (Fig. 1). The fixed disk 15 contains a software autosend utility 46 and user profiles 50 (Fig. 2). The user profiles 50 are accessed by the software autosend utility 46. Each of the user profiles 50 include name 115, file transport information 116, and image scanning characteristics 117 (Fig. 5 and col. 7, lines 37-43). A user at the computer system 2 selects a user name of an intended recipient (Fig. 11 step S1103 and col. 12, lines 60-65).

Based on the profile corresponding the user name, the software autosend utility 46 determines image scanning characteristics for scanning the document (Fig. 11 step S1105 and col. 13, lines 1-3). Similarly, based on the profile corresponding the user name, the software autosend utility 46 determines transport information for sending the image file (Fig. 11 step S1108 and col. 13, lines 35-36). In other words, in TOMAT, the software autosend utility 46 contained in the fixed disk 15 determines image scanning characteristics that the scanner 1 utilizes for scanning the document, and the software autosend utility 46 contained in the fixed disk 15 determines transport information that the computer system 2 utilizes for sending the image file to another computer system.

However, TOMAT does not disclose a terminal apparatus which receives, from the scanner, a control file including a file name. Rather, TOMAT discloses the software autosend utility 46 contained in the fixed disk 15 (i.e., terminal apparatus) which determines image scanning characteristics that the scanner 1 utilizes for scanning the

document. The software autosend utility 46 is contained in the fixed disk 15 (i.e., a terminal apparatus), but is not contained in scanner 1 and thus cannot be received from the scanner.

TOMAT also does not disclose a terminal apparatus which analyzes the file name included in the received control file to obtain the file type of the received document file, at least since TOMAT does not disclose a terminal apparatus which receives, from the scanner, a control file including a file name. Rather, and as noted above, TOMAT discloses the software autosend utility 46 contained in the fixed disk 15 (i.e., a terminal apparatus) which determines image scanning characteristics that the scanner 1 utilizes for scanning the document. The software autosend utility 46 is contained in the fixed disk 15 (a terminal apparatus), but is not contained in scanner 1 and thus cannot be received (and does not need to be received) from the scanner.

Further, TOMAT does not disclose a terminal apparatus which starts the application program associated with the obtained file type to open the received document file, since TOMAT does not analyze file name included in the received control file. Rather, Fig. 9 of TOMAT merely describes add/edit profile window 130 for adding or editing a profile for sending an image file. This addition/edition is performed by opening the image file in a remote application running on a remote computer system, but the remote application 137 is selected by a user at the computer system 2 as shown in Fig. 9. In other words, TOMAT does not analyze the file name included in the control file received from the scanner to obtain the file type of the received document file. Thus, TOMAT does not start the application program associated with the obtained file type to open the received document file. Further, the add/edit window

5

130 of Fig. 9 is utilized for adding/editing the user profiles 50 stored in the fixed disk 15, but is not utilized for starting the application program associated with the obtained file type to open the received document file.

Further, regarding claim 22, TOMAT does not disclose a terminal apparatus connectable to a plurality of scanner apparatuses via a network. Rather, TOMAT discloses the fixed disk 15 connected to the scanner 1 via the scanner interface 8. For the same reason, TOMAT does not disclose a terminal apparatus which receives, from one of the plurality of the scanner apparatuses, a control file including a file name, and receives, from the one of the plurality of the scanner apparatuses, a document file, the document file including image data scanned by the scanner apparatus.

Accordingly, TOMAT cannot supply the shortcomings of SHIMA. Thus, the pending claims are clearly distinguished over TOMAT.

Therefore, it is respectfully submitted that the features recited in Applicants' submitted claims 15-22 are not disclosed in TOMAT cited by the Examiner. Claims 15-21 are patentable over the Examiner's proposed combination, since neither of SHIMA and TOMAT, nor any proper combination thereof, disclose the combination of features recited in Applicants' claims 15-21.

Moreover, the Examiner has provided absolutely no motivation for the proposed combination of SHIMA and TOMAT. The Examiner merely noted the deficiencies of SHIMA and asserted that since these deficiencies are (assertedly) taught by TOMAT, it would be obvious to modify SHIMA to include those feature. Of course, without proper motivation for the proposed combination, it is clear that a rejection under 35 U.S.C. § 103 is not proper.

Additionally, the mere assertion of obviousness without any supporting evidence in the form of motivation is clearly inadequate to satisfy the requirement of 35 U.S.C. § 103. Yet further, Applicant notes that TOMAT does not supply the above-noted deficiencies of SHIMA. Accordingly, it is respectfully submitted that the Examiner's proposed combination is defective and thus all the claims are clearly patentable over the Examiner's proposed combination.

Accordingly, Applicant respectfully requests reconsideration and withdrawal of the outstanding rejection, and requests an indication of the allowability of all the claims pending in the present application, in due course.

Although the status of the application is after final rejection, Applicant submits that entry of the present Response is proper under 37 C.F.R. § 1.116. In particular, no claim amendments are being presented.

SUMMARY AND CONCLUSION

Applicant has made a sincere effort to place the present application in condition for allowance and believes that he has now done so. With respect to the pending claims, Applicant has pointed out the features thereof and has contrasted the features of the claims with the disclosures of the references. Additionally, Applicant has pointed out the total lack of motivation or evidence in support of the Examiner's proposed combination. Accordingly, Applicant has provided a clear evidentiary basis supporting the patentability of all claims in the present application and respectfully requests an indication of the allowability of all the claims pending in the present application, in due course.

Should the Examiner have any questions or comments regarding this Response, or the present application, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,
Yutaka IYOKI

William Pieprz
Reg. No. 33,630

Bruce H. Bernstein
Reg. No. 29,027

November 2, 2005
GREENBLUM & BERNSTEIN, P.L.C.
1950 Roland Clarke Place
Reston, VA 20191
(703) 716-1191

8